



Flexibilities Continuing: End of the Public Health Emergency (PHE) May 16, 2023

At the beginning of the COVID-19 pandemic, the federal government declared a Public Health Emergency (PHE) and relaxed certain requirements to ensure Medicaid members could continue to access healthcare services. The federal Department of Health and Human Services declared that the federal PHE ended on May 11, 2023.

Starting May 12, 2023, some billing flexibilities and how MaineCare members access health care services are returning to how they were administered prior to the declaration of the PHE. The flexibilities listed below will remain in effect following the end of the PHE as permanent MaineCare policy unless otherwise noted. Continuing flexibilities are listed by policy section as described in the MaineCare Benefits Manual (MBM). See the full [MaineCare Benefits Manual](#) for complete descriptions of MaineCare service policies.

MaineCare Service Flexibilities Continuing after May 11, 2023

- **Ch. I, Section 4: Telehealth Services**
 - The Department will reimburse providers for telephonic evaluation and management services provided to members. The restrictions set forth in Ch. I, Section 4, Subsection 4.04-3 are waived for this purpose.
- **Ch. II, Section 55: Laboratory Services and Ch. II, Section 80: Pharmacy Services**
 - MaineCare will reimburse pharmacies administering a COVID-19 vaccine through the Maine Point of Purchase System (MEPOPS), a system maintained by Change Healthcare, MaineCare's Pharmacy Benefits Administrator.
 - Billing for pharmacy specimen collection will discontinue under Section 80. Pharmacies enrolled under Ch. II, Section 55: Laboratory Services may continue to bill for the service through Section 55.
 - Additional updates are available in the [End of PHE Pharmacy Guidance](#).
- **Ch. II, Section 60: Medical Supplies and Durable Medical Equipment**
 - The Department waives the requirement under Section 60.12 (K) that a qualified MD, DO, PA, or APRN must prescribe hearing aids. A note from an audiologist will justify medical necessity when all other criteria are met.
 - Advanced Practice Providers (Physicians Assistants, Nurse Practitioners, and Clinical Nurse Specialists) may prescribe Medical Supplies and Durable Medical Equipment under Section 60.05-1 (B).

- **Ch. II, Section 94: Early and Periodic Screening, Diagnosis and Treatment Services (EPSDT)**
 - The Department, under Bright Futures Health Assessment Visits under Ch. II, Section 94.06-1, will allow for one additional health assessment visit per member within a year following an initial assessment via Telehealth for each age shown on the MaineCare Bright Futures periodic health assessment schedule (MBM, Ch. II, Section 96, Appendix 1).

In accordance with provisions of the American Rescue Plan Act, MaineCare will continue to cover COVID-19 testing, treatment, vaccines, and vaccine administration without cost sharing for MaineCare members through September 30, 2024.

Additional End of PHE Guidance

- Please see the [End of PHE Behavioral Health Guidance](#) for information pertaining to Behavioral Health flexibilities impacting Section 17: Community Support Services, Section 65: Behavioral Health Services, and Section 97: Private Non-Medical Institution Services.
- Please see the [End of the PHE LTSS Guidance](#) for information pertaining to Long Term Services and Supports flexibilities impacting Section 40: Home Health Services, Section 67: Nursing Facility Services, Section 96: Private Duty Nursing and Personal Care Services, and Section 97: Private Non-Medical Institution Services.
- Copayments for certain services will continue to be waived through September 30, 2024. Please see the [End of PHE Copayment Guidance](#) for additional information.

Further guidance will be distributed as information becomes available. Additional resources are available on MaineCare's [COVID-19 and End of the PHE webpage](#).

The Department will obtain any appropriate federal approvals and intends to engage in rulemaking to reflect permanent changes. The Department will exercise enforcement discretion with respect to provisions where the rule has not yet been updated.

For questions related to this document and the End of the PHE, please email DHHSMaineCareEndofPHE@maine.gov.